

ORIGINAL

TITLE 170 INDIANA UTILITY REGULATORY COMMISSION

Final Rule

LSA Document #99-102(F)

DIGEST

Amends 170 IAC 7-1.1-12 that governs customer billing procedures by telephone utilities, to add "truth-in-billing" guidelines to ensure that consumers receive thorough, accurate, and understandable bills from their telecommunications carriers. Effective 30 days after filing with the secretary of state.

170 IAC 7-1.1-12

SECTION 1. 170 IAC 7-1.1-12 IS AMENDED TO READ AS FOLLOWS:

170 IAC 7-1.1-12 Bills for utility service

Authority: IC 8-1-1-3

Affected: IC 8-1-2-4; IC 8-1-2-88

Sec. 12. (a) Bills rendered periodically to customers for telephone service shall show at least the following information:

- (1) Customer's name, billing address, telephone number and date of bill.
- (2) ~~Total measured service charges.~~ For measured service, details shall include the number of additional local calls, rate and total amount of charges.
- (3) Itemization of toll calls and charges.
- (4) State and Federal taxes.
- (5) Previous balance.
- (6) ~~Explanation of other charges and credits.~~
- (7) (6) Explanation of codes and abbreviations.
- (8) (7) The past due date or the date on which the bill becomes delinquent.
- (9) (8) Total amount of bill.

(9) The name for the service provider associated with each charge shall be clearly identified.

(10) Where charges for two or more telephone carriers appear on the same telephone bill, the charges shall be separated by service provider, and the billing entity shall provide clear and conspicuous notification of any change in service provider, including notification to the customer that a new provider has begun providing service.

(A) "Clear and conspicuous notification" for purposes of this section means notice that would be apparent to a reasonable consumer.

(B) "New service provider" means a service provider that did not bill the subscriber for service during the service provider's last billing cycle. This definition shall include only providers that have continuing relationships with the subscriber that will result in periodic charges on the subscriber's bill, unless the service is subsequently canceled. The notification should describe the nature of the relationship with the customer, including a description of whether the new service provider is the presubscribed:

- (i) local exchange carrier;**
- (ii) intraLATA interexchange carrier; or**
- (iii) interLATA interexchange carrier.**

(11) Descriptions of billed charges. Charges contained on telephone bills shall be accompanied by a brief, clear, non-misleading, plain language description of the service or services rendered. The description shall be sufficiently clear in presentation and specific enough in content so that

(A) customers can accurately assess that the services for which they are billed correspond to those that they have requested and received; and

(B) the costs assessed for those services conform to their understanding of the price charged.

(12) Telephone bills shall contain clear and conspicuous disclosure of any information that the customer may need to make inquiries about, or contest charges, on the bill. The bill shall contain a clear and conspicuous notice that the customer may dispute charges on the bill prior to payment. Telephone carriers shall prominently display on each bill a toll-free number by which customers may inquire or dispute any charge contained on the bill. A carrier may list a toll-free number for a billing agent, clearinghouse, or other third party, provided that such party possesses sufficient

information to answer questions concerning the customer's account and is fully authorized to resolve consumer complaints on the carrier's behalf. Where the subscriber does not receive a paper copy of his or her telephone bill, but instead accesses that bill only by e-mail or internet, the carrier may comply with this requirement by providing on the bill an e-mail or web site address. Each carrier must make a business address available upon request from a customer.

(b) The billing requirements of subdivisions (a)(9) through (a)(11) of this section may be waived for business customers if those customers consent in writing to such waiver.

(c) Any utility that is certified to provide telephone service that is serving less than five thousand (5,000) local exchange access lines in Indiana may petition the commission for exemption from the requirements of subdivisions (a)(9) through (a)(11) of this section for good cause shown.

~~(B) Delinquencies. (1)~~ (d) A utility service bill, which has remained unpaid for a period of more than seventeen (17) days following the mailing of the bill, shall be a delinquent bill. ~~(2)~~ A utility service bill shall be rendered as a net bill. If the net bill is not paid within seventeen (17) days after the bill is mailed, it shall become a delinquent bill and a late payment charge may be added in the amount of ten percent (10%) of the first three dollars (\$3) and three percent (3%) of the excess of three dollars (\$3).

(e) A utility may only change a monthly billing cycle to another periodic form of billing if the customer agrees in writing to such change.

(f) The requirements of subdivisions (a)(9) through (a)(11) of this section shall become effective on December 31, 2000. (*Indiana Utility Regulatory Commission; No. 35138: Standards of Service for Telephone Utilities Rule 13; filed May 31, 1979, 2:31 pm: 2 IR 820*)
NOTE: No Rule 12 was promulgated.

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INDIANA UTILITY REGULATORY COMMISSION

Final Rule

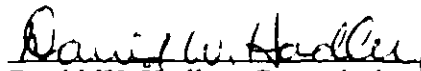
RM 99-04

The Indiana Utility Regulatory Commission (the "Commission") hereby proposes to adopt this rule in the final form attached upon prior publication and notice in accordance with the provisions of I.C. 4-22-2-1, et. seq. The Commission heard public comments on the proposed rule on December 27, 1999, at 9:30 a.m. (local time) in Room E306 of the Indiana Government Center South, 302 W. Washington Street, Indianapolis, Indiana.

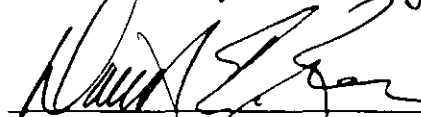
The Secretary of the Commission is hereby directed to maintain five (5) copies of the proposed rules continuously on file in the Commission Offices for public inspection, and forward two (2) copies of the attached proposed rules to the Indiana Legislative Services Agency publication in the Indiana Register.

ABSENT

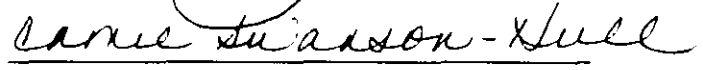
William D. McCarty, Chairman



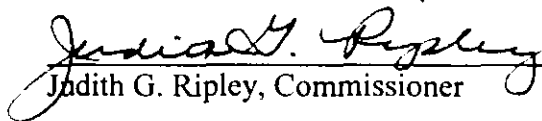
David W. Hadley, Commissioner



David E. Ziegner, Commissioner

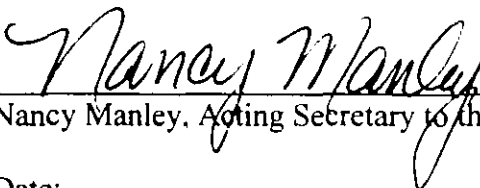


Camie Swanson-Hull, Commissioner



Judith G. Ripley, Commissioner

ATTEST:



Nancy Manley, Acting Secretary to the Commission

Date:

APR 06 2000

Approval of the Amendment of Rule


170 IAC 7-1.1-12

LSA Document #99-102(F)

IURC RM 99-04


Approved as to legality,

today: 5/21/00


KAREN FREEMAN-WILSON
Attorney General of Indiana

Approved,

today: 6/6/2000


FRANK O'BANNON
Governor of Indiana

Filed, today: 6/8/00 10:04am
CH


SUE ANNE GILROY
Secretary of State